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Timothy J. Schmidt AND Janet Louise Rustici
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Defendants

FILED

AUG 27 2009

DRAS

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION**

In re:

Timothy Joseph Schmidt

And

Janet Louise Rustici

Debtor.

Case No:

09-23892-B-7

Adversary: 09-2493

RESPONSE OF DEFENDANTS,

The One Tree Group, Inc.

v.

Timothy Joseph Schmidt AND

Janet Louise Rustici

Comes now Defendants, Timothy Joseph Schmidt and Janet Louise Rustici,
and answers the adversary proceeding on file herein as follows:

1. Defendant admits that this is a core matter as that term is defined by 28 USC §157(b)(2)(I).
2. Defendant admits each and every allegation of paragraphs 2, 3, 5, 6, 8, 11, 12, 13 and 16 of the complaint on file herein.

ANSWER TO ADVERSARY COMPLAINT

3. Defendant lacks information and belief and therefore denies the allegations of paragraph 1, 9, 10, 14, 15, 17 and (General Allegations 4) of the complaint.

4. Defendant hereby denies each and every allegation of paragraphs 4, 7, (General Allegations 2, 3) and (First Claim for Relief 6, 7, 8, 9, 10, 11) of the complaint on file herein.

Wherefore, Defendant prays that the court dismiss the complaint and that the Defendant be awarded costs of suit, including reasonable attorney fees, herein incurred.

Dated: August 24, 2009

Respectfully Submitted,

Samuel L. Schwartz Janet L. Ruston

Timothy Joseph Schmidt and
Janet Louise Rustici, Defendants